IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Crl.MC.No. 1607 of 2007()

ST.5648/2003 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, PONNANI

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(CRIME NO.244/2003 OF PONNANI POLICE STATION)

PETITIONER: 1ST ACCUSED:

MOHAMMED HANEEFA, S/O.ABOOBACKER,
P.O.PURANG, PONNANI TALUK.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS: STATE:

THE STATE OF KERALA, REPRESENTED BY THE STATION HOUSE OFFICER, PONNANI POLICE STATION, THOURGH THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. V.T.K. MOHANAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.M.C.NO.1607 OF 2007

Dated this the 18th day of May 2007

ORDER

The petitioner is the 1st accused in S.T. No. 5648/2003 of the Judicial First Class Magistrate Court, Ponnani with respect to the offence under Sections 442, 323, 354, 506 (i) r/w section 34 of Indian Penal Code. It is submitted that he did not receive summons so far and hence he could not appear before the court below. It is apprehended that there will be an order of pre-trial detention on his appearance. Hence he has sought for a direction to the court below that he may not be ordered to be detained on his appearance.

In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail on the date of appearance of the petitioner itself. The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU
JUDGE

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